

FEB 06 2007

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Applicant:** Li Fung Chang et al.

**Examiner:** Juan A. Torres

**Serial No:** 10/791,945

**Art Group:** 2631

**Filing Date:** March 3, 2004

**Docket No:** BP3012

**Title:** INCREMENTAL REDUNDANCY SUPPORT IN A CELLULAR  
WIRELESS TERMINAL HAVING IR PROCESSING MODULE

Date: 02/06/07

Mail Stop Appeal Brief - Patents  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**REPLY TO EXAMINER'S ANSWER PURSUANT TO 37 C.F.R. § 41.41(a)(1)**

This Reply is filed in response to the Examiner's Answer mailed January 5, 2007.

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A. Status of the Claims

Claims 1-31 are pending. Claims 1-7, 9-11, 13-22, 24-26 and 28-31 stand rejected under 35 U.S.C. 102(c) as being anticipated by Parolari (US 200400811248 A1).

Claims 8, 12, 23, and 27 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Parolari in view of Ramesh (U.S. Patent No. 6,909,758 B2).

Claims 1, 12, 27, 16, and 31 are subject to a provisional type double patent rejection over co-pending applications 10/731,803 and 10/791,945. These rejections are not addressed in this Appeal Brief.

**B. Grounds of rejection to be reviewed on Appeal**

1. The rejection of claims 1-7, 9-11, 13-22, 24-26, and 28-31 as being anticipated under 35 U.S.C. 102(e) by Parolari (US 20040081248 A1).
2. The rejection of claims 8, 12, 23, and 27 under 35 U.S.C. 103(a) as being unpatentable over Parolari in view of Ramesh (U.S. Patent No. 6,909,758 B2).

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C. Argument:

1. Claims 1, 3-5, 7, 11, 16, 18-20, 22, 26, and 29 are not anticipated under 35 U.S.C. 102(b) by Pukkila (US 20010017904 A1).

In the Examiner's Answer, the Examiner has merely cut and pasted portions of the Final Office Action from which this Appeal is made. The Examiner has failed to even address, much less rebut the arguments presented in the Applicants' Corrected Appeal Brief. Applicants direct the Board to all portions of the Corrected Appeal Brief, including discussion made with regard to now withdrawn prior art rejections made based upon Pukkila (US 20010017904 A1). Such discussion is relevant when considering the still maintained prior art rejections.

2. Claims 1-7, 9-11, 13-22, 24-26, and 28-31 are not anticipated under 35 U.S.C. 102(e) by Parolari (US 20040081248 A1).

Again, Applicants point out that the Examiner has failed to even address, much less rebut the arguments presented in the Applicants' Corrected Appeal Brief. Applicants direct the Board to all portions of the Corrected Appeal Brief, including discussion made with regard to now withdrawn prior art rejections made based upon Pukkila (US 20010017904 A1). Such discussion is relevant when considering the still maintained prior art rejections.

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**D. Conclusions**

For the above-provided reasons, the Appellants respectfully request that all of the rejections of the Final Office Action be overturned and that the claims in the present application be allowed to issue.

RESPECTFULLY SUBMITTED,

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**CERTIFICATE OF FACSIMILE FILING 37 C.F.R. 1.8**

I hereby certify that this correspondence is being filed via Facsimile by transmitting the attached documents to (571) 273-8300 on February 6, 2007.

February 6, 2007

Date

/Bruce E. Garlick, 36,520/

Signature